

BILL NO. 83-69

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 83-69

Introduced by Council President Hardwicke at the  
request of the County Executive

Legislative Day No. 83-36 Date December 6, 1983

AN EMERGENCY ACT to provide the County Executive with the authorization to execute, on behalf of Harford County, Maryland, an agreement with the State of Maryland, pursuant to which Harford County, Maryland, would borrow from the State Department of Health and Mental Hygiene the sum of \$500,000 to pay a portion of the County's share of the cost of the Sod Run Wastewater Treatment Plant Expansion Project, all in accordance with Sections 520 and 524 of the Charter of Harford County, Maryland.

By the Council, December 6, 1983

Introduced, read first time, ordered posted and public hearing scheduled

on: January 3, 1984

at: 7:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 3, 1984 and concluded on January 3, 1984.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 83-69

## AGREEMENT

THIS AGREEMENT, made this 13th day of January, 1984 , between Harford County (hereinafter referred to as the "Applicant"), and the STATE OF MARYLAND (hereinafter referred to as the "State").

WHEREAS, pursuant to the provisions of Chapter 286, laws of Maryland 1974, known as the "Water Quality Loan of 1974" loans were made available to assist in the construction of sewer facilities to counties, municipalities or any agency of the State or its subdivisions which is charged with providing sewerage facilities.

WHEREAS, the Applicant is desirous of providing a sewerage project which conforms with the comprehensive water and sewerage plan required pursuant to the provisions of Section 387C of Article 43 of the Annotated Code of Maryland, as amended from time to time.

WHEREAS, the proposed sewerage project (C-240398-03 - Harford Co.) is required in order for the Applicant to meet the Water Quality Standards adopted by the State;

WHEREAS, the Applicant contemplates a fiscal program for the said project utilizing funds provided by the said Chapter 286, and has petitioned the State Department of Health and Mental Hygiene for a loan to assist in the construction of the said project;

WHEREAS, the local share of the proposed sewerage project is in the amount of Five Hundred Thousand Dollars (\$500,000) over and above all grant funds made available from all State and Federal sources;

WHEREAS, the State has sufficient funds available under Section 5(c) of the said "Water Quality Loan of 1974";

WHEREAS, the Board of Public Works of the State, by a resolution duly

passed and adopted on September 21, 1983 , has ratified and approved the petition on behalf of the Applicant for the State's financial assistance in the construction of the project.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

FIRST: That in consideration of Five Hundred Thousand Dollars (\$500,000) appropriated by the State to aid in the construction of the sewerage project (C-240398-03 - Harford Co.), the Applicant agrees to construct the said project in accordance with plans approved by the State Department of Health and Mental Hygiene.

SECOND: That in consideration of the amount appropriated by the State according to paragraph First hereinabove, the Applicant agrees to repay to the State the amount of Five Hundred Thousand Dollars (\$500,000), together with interest thereon computed at the same rate of interest as the Certificates of Indebtedness (9.196284 %) from which cash proceeds are used to provide the loan, the Applicant to make said repayment according to the repayment schedule to be prepared and attached to a Promissory Note to be executed by the Applicant, which schedule provides for the repayment by the Applicant of its indebtedness, as provided by this paragraph, in full on or before January 13, 2014. Payments of principal and interest made by the Applicant on account of its obligation under this paragraph shall be made in the order specified in the said repayment schedule, on or before the date specified in said schedule, and in the amount specified in said schedule.

THIRD: That should the Applicant make payments upon principal in advance of the due date specified in the aforesaid repayment schedule, the interest upon the then remaining unpaid balance due from the Applicant shall be recomputed and reduced accordingly, and the aforesaid repayment schedule shall be amended in conformity therewith; however, no recomputation nor any

reduction of said interest shall be made unless said advance payment upon principal shall be made more than six (6) calendar months in advance of the due date thereof as specified in the aforesaid repayment schedule.

FOURTH: That the State Department of Health and Mental Hygiene shall act as the administrator of this Agreement for and on behalf of the State, and that the said project will be constructed, maintained and operated by the Applicant at all times to conform with the provisions of Article 43 and all other applicable provisions of the Annotated Code of Maryland.

Harford County  
Applicant

WITNESS:

\_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Attorney for the Applicant

\_\_\_\_\_  
Title

WITNESS:

STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE

\_\_\_\_\_

\_\_\_\_\_  
William M. Eichbaum  
Assistant Secretary  
for Environmental Programs

\_\_\_\_\_

\_\_\_\_\_  
Adele Wilzack, R.N., M.S.  
Secretary of Health and Mental Hygiene

Approved as to Legal Sufficiency and  
form: 14 day of Sept, 1983

[Signature]  
Assistant Attorney General

Approved on September 21, 1983 by the Board of Public Works (Agenda Item #11)

\_\_\_\_\_  
Secretary

1 WHEREAS, the County Executive proposes that Harford  
2 County, Maryland, enter into a contract with the Department of  
3 Health and Mental Hygiene of the State of Maryland, providing for  
4 the borrowing from such Department of the sum of five hundred  
5 thousand dollars (\$500,000) and be given the authority to execute  
6 such agreement on behalf of Harford County, Maryland; and

7 WHEREAS, said agreement (the "Agreement") provides for  
8 repayment of the loan at the rate of 9.196284 percent per annum  
9 over thirty (30) years; and

10 WHEREAS, said agreement is attached hereto and made a part  
11 hereof; and

12 WHEREAS, Sections 520 and 524 of the Charter of Harford  
13 County, Maryland, require that all agreements and payments  
14 thereunder which would extend beyond the current fiscal year be  
15 authorized by legislative act.

16 NOW, THEREFORE,  
17 Section 1. Be It Enacted By The County Council of Harford County,  
18 Maryland, that the County Executive, be, and he is hereby  
19 authorized to execute, on behalf of the County, the Agreement  
20 providing for borrowing by Harford County, Maryland, of the  
21 below-stated amounts:

22 Amount of Agreement ..... \$500,000

23 Section 2. And Be It Further Enacted, that this act is hereby  
24 declared to be an Emergency Act, necessary to cover certain costs  
25 incurred by the County for the construction of the Sod Run  
26 Wastewater Treatment Plant Expansion Project and it shall take  
27 effect on the date it becomes law.

28 EFFECTIVE: January 5, 1984

29 *The Secretary of the Council does hereby*  
30 *certify that fifteen (15) copies of this Bill*  
31 *are immediately available for distribution to*  
32 *the public and the press.*

*Angela M. Andrews*, Secretary

83-69

BY THE COUNCIL

BILL NO. 83-69

Read the third time.

Passed LSD 34-1 (January 3, 1984)

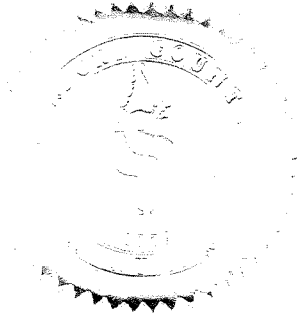
Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 4th day of January, 1984  
at 3:00 o'clock P.M.

Angela Markowski, Secretary



BY THE EXECUTIVE

APPROVED:

[Signature]  
County Executive

Date 1-5-84

BY THE COUNCIL

This Bill (No. 33-69), having been approved by the Executive  
and returned to the Council, becomes law on January 5, 1984.

Angela Markowski, Secretary

EFFECTIVE: January 5, 1984

83-69